

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID LEVOYD REED,

Plaintiff,

v.

CLARK COUNTY DISTRICT ATTORNEY,
et al.,

Defendants.

Case No.: 2:20-cv-01274-APG-NJK

ORDER

(Docket No. 1)

Plaintiff, an inmate at High Desert State Prison, has submitted a complaint and has filed an application to proceed *in forma pauperis*. Docket Nos. 1, 1-1.

Plaintiff failed to file a complete application to proceed *in forma pauperis*. *See* Docket No. 1. Plaintiff failed to attach an inmate account statement for the six months prior to filing his application to proceed *in forma pauperis* and a current, properly executed financial certificate. *Id.* at 4–13; *see also* LSR 1-2. Plaintiff's inmate account statement and financial certificate are dated April 14, 2020; however, he filed his application to proceed *in forma pauperis* almost three months later. *See* Docket No. 1. Therefore, the application is incomplete and the Court will deny it without prejudice.

The Court will retain Plaintiff's complaint, Docket No. 1-1, but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis*, he must file a proper and fully complete application to proceed *in forma pauperis* with a fully complete and properly executed financial certificate and an inmate account statement for the six months prior to the filing of his new application.

1 Accordingly, the Court **DENIES** Plaintiff's application to proceed *in forma pauperis*
2 without prejudice. Docket No. 1. The Court will retain Plaintiff's complaint, Docket No. 1-1, but
3 will not file it until payment of the filing fee is resolved. No later than August 17, 2020, Plaintiff
4 shall either (1) file a complete application to proceed *in forma pauperis*, on the correct form with
5 complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the \$400 fee
6 for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee). **If**
7 **Plaintiff fails to timely comply with this order, dismissal of this action may result.**

8 The Court **INSTRUCTS** the Clerk of Court to send Plaintiff the approved form application
9 to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and
10 instructions for filing an *in forma pauperis* application.

11 IT IS SO ORDERED.

12 Dated: July 17, 2020.

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16 NANCY J. KOPPE
17 UNITED STATES MAGISTRATE JUDGE
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